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VIA ECF

The Honorable Valerie E. Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

MEMO ENDORSED

Re: United States v. Emmanuel Bonafe
19-00862-6 (VEC)

Dear Judge Caproni:

We represent Emmanuel Bonafe in the above-referenced matter and were retained on December 11, 2019. Our fee of \$75,000.00 was to cover all services up to, but not including, trial. In the event the matter went to trial, there would be an additional, \$25,000.00 due.

Mr. Bonafe was unable to personally pay this fee and remains unable to pay. As a result, his girlfriend's (Andrea) family has attempted to pay our fee. Thus far they have paid \$19,000.00 toward our initial fee of \$75,000.00, leaving a balance of \$56,000.00. The balance was to be paid through the refinancing of their home. However, due to the ongoing COVID-19 pandemic, Andrea's father, who was the primary bread winner of the family, lost his job and is now unable to qualify for the refinancing. Mr. Bonafe has informed us that he has no other means to pay our fee.

In addition to our legal services to date, we have paid for numerous Securus video conferences, computer drives for discovery, and the services of a sentencing/mitigation expert. These expenses total approximately \$1,125.00 and were satisfied out of the legal fees we previously received. We expect additional expenses to be incurred as this case progresses. These additional expenses will include the continued use of our sentencing/mitigation expert (who will continue to bill hourly) production of printed discovery, as well as the hiring of investigators. This is all occurring during an economic downturn, which has negatively affected our firm's ability to absorb any additional expenses. After conversations with Mr. Bonafe, confirming his continued inability to pay our legal fees or the expenses associated with a vigorous defense of this matter, we respectfully request, with consent from Mr. Bonafe, to be relieved and CJA Counsel be assigned to his case going forward. A financial hardship affidavit signed by Mr. Bonafe is attached.

Pursuant to the Court's rules that we appear for a conference in support of this application, we are available, with the Government, on Thursday, May 21, 2020 at 3:00 p.m. if that is acceptable to the Court. If this is not acceptable we will await further guidance from the Court.

Respectfully submitted,

/s/
Steven M. Raiser, Esq.

cc: AUSA Adam Hobson (via ECF)
AUSA Elinor Tarlow (via ECF)

Mr. Raiser is hereby relieved as counsel for Mr. Bonafe. The Government is directed to work with the CJA office to promptly identify a non-conflicted attorney to be appointed to represent Mr. Bonafe. The Government should email the attorney's name to chambers, so that the Court can enter an appointment order.

SO ORDERED.

Date: 05/20/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE